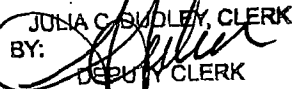


FEB 22 2016

JULIA C. SMITH, CLERK
BY: 
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

Roanoke Division

JAMES PENN,

Plaintiff,

v.

H. BREWER,

Defendant.

Civil Action No: 7:15-CV-00039

ORDER

On this day the Court considered the *pro se* inmate litigant's Complaint and the parties' executed settlement agreement.

UPON CONSIDERATION WHEREFORE, it appearing to this Court that Plaintiff is an inmate within the custody of Virginia Department of Corrections ("VDOC"); that VDOC, without admitting liability, agrees to pay the remaining balance of Plaintiff's court costs in the amount of \$155.85 to be tendered directly to the Western District of Virginia Clerk's Office, and VDOC will reimburse Plaintiff the court cost he already paid in the amount of \$194.15 to be paid directly into Plaintiff's inmate account, in full settlement for all incidents, claims and allegations referenced in this suit; that any monies being held by VDOC for future payment of court costs in this case shall be returned to Plaintiff's inmate account and no further deductions for court cost in this case shall be made; that the voluntary dismissal shall discharge Defendant from all claims and demands related to this lawsuit and from all claims arising out of the same

facts; and if VDOC fails to follow through with their agreement within a period of 60 days from the date of the dismissal order, Plaintiff shall retain his right to reinstate the suit; it is therefore

ADJUDGED, ORDERED, and DECREED that Plaintiff's Complaint is DISMISSED WITH PREJUDICE.

It is further ORDERED that the Clerk of this Court shall send an attested copy of this order to the Plaintiff and to counsel for the Defendants.

ENTERED: 02/22/2016

/s/ Michael F. Urbanski

JUDGE

We ask for this:

James E. Penn
James Penn, #1048310, *pro se*
Red Onion State Prison
P.O. Box 1900
Pound, Virginia 24279

Plaintiff

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